

**Knobbe Martens Olson & Bear LLP***Intellectual Property Law*

550 West C Street  
Suite 1200  
San Diego CA 92101  
Tel 619-235-8550  
Fax 619-235-0176  
www.kmob.com

**FACSIMILE TRANSMITTAL SHEET****CONFIRMATION COPY WILL FOLLOW VIA:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> MAIL       | <input type="checkbox"/> WILL <u>NOT</u> FOLLOW |
| <input type="checkbox"/> INTERNATIONAL AIRMAIL | <input type="checkbox"/> HAND DELIVERY          |
| <input type="checkbox"/> COURIER               | <input type="checkbox"/> WITH ENCLOSURES        |
| <input type="checkbox"/> E-MAIL                | <input type="checkbox"/> WITHOUT ENCLOSURES     |

**Confidentiality Notice:**

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Leonard Smith  
FIRM: United States Patent and Trademark Office  
FACSIMILE No.: 571-273-0459  
OUR REF.: HYLEE60.001APC  
YOUR REF.: 10/009,792  
FROM: Chris Steinhardt, Registration Number 30,806  
OPERATOR: L. Racquel Raymond NO. OF PAGES: 11 (incl. cover sheet)  
DATE: November 22, 2005 TIME:

RECEIVED  
22 NOV 2005  
Legal Staff  
International Division

**IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY**

OPERATOR PHONE No.: (619) 235-8550

FACSIMILE No.: (619) 235-0176

**MESSAGE:** PLEASE CALL IF THERE ARE ANY ADDITIONAL DOCUMENTS REQUIRED FOR THIS PETITION AT 619-687-8617

PLEASE ACKNOWLEDGE RECEIPT OF THIS FACSIMILE.

2083792  
112205

Orange County  
949-760-0404

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
951-781-9231

San Luis Obispo  
805-547-5580

Docket No.: HYLEE60.001APC

Page 1 of 1

---

Please Direct All Correspondence to Customer Number 20995

---

**TRANSMITTAL**

Applicant : Lee, et al.  
App. No : 10/009,792  
Filed : November 13, 2001  
For : ESCHERICHIA COLI STRAIN  
SECRETING HUMAN  
GRANULOCYTE COLONY  
STIMULATING FACTOR (G-CSF)  
Examiner : Sarvamangala J. N. Devi  
Art Unit : 1645

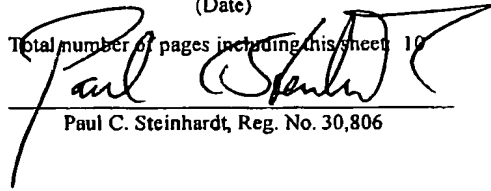
**CERTIFICATE OF FAX TRANSMISSION  
PTO CENTRALIZED FAX**

I hereby certify that this correspondence and all  
marked attachments, are being transmitted via  
facsimile to Richard Cole at USPTO Fax No.  
(571) 273-0459 on the date shown below:

November 22, 2005

(Date)

Total number of pages including this sheet 10

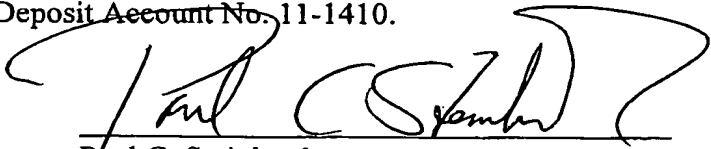
  
Paul C. Steinhardt, Reg. No. 30,806**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Petition to Accord Application Filing Date Shown on Express Mail label "Date-In" with attached copies of Request for Application Number and Corrected Filing Date, Verified Certification of Express Mailing Date, Certificate of Mailing by Express Mail, Express Mail mailing label EV 037395037 US, original return postcard (obverse and reverse sides), and return postcard for the Request for Application Number and Corrected Filing Date.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

  
Paul C. Steinhardt  
Registration No. 30,806  
Attorney of Record  
Customer No. 20,995  
(619) 235-85502082096  
112105

HYLEE60.001APC

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Lee, et al.
Appl. No.	:	10/009,792
Filed	:	November 13, 2001
For	:	ESCHERICHIA COLI STRAIN SECRETING HUMAN GRANULOCYTE COLONY STIMULATING FACTOR (G-CSF)
Examiner	:	Sarvamangala J. N. Devi
Group Art Unit	:	1645

**PETITION TO ACCORD APPLICATION FILING DATE SHOWN ON  
EXPRESS MAIL LABEL "DATE-IN"**

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Petition is to accord the above-identified application the "date-in" of November 13, 2001 shown on the Express Mail Label No. EV 037395037 US. Correction is required because the Filing Date awarded by the PTO differs from the "date-in" shown on the Express Mailing Label.

It is respectfully contended that the date of December 13, 2001, accorded this application by the PTO, is incorrect.

Correction was requested on January 8, 2002, but the PTO never responded to the request.

Submitted herewith is a true copy of a Request for Application Number and Corrected Filing Date with supporting documentation consisting of a Verified Certification of Express Mailing Date (37 CFR 1.10(C)); copy of original Certificate of Mailing by Express Mail, which was filed showing both the date on which this application was mailed as Express Mail Label No.

Appl. No. : 10/009,792  
Filed : November 13, 2001

EV 037395037 US and that the number of the Express Mail was placed thereon prior to mailing. 37 C.F.R. §1.10(c)(2); a true copy of the "Express Mail" mailing label EV 037395037 US showing the "date-in" of November 13, 2001, 37 C.F.R. §1.10(c)(3); and copy of original return postcard (obverse and reverse sides) showing USPTO date of receipt, all of which were submitted to the PTO on January 8, 2002.

Also attached is a true copy of the postcard for the Request for Application Number and Corrected Filing Date which was returned by the OPIE and stamped January 28, 2002.

In view of the foregoing, Applicants respectfully request that this application be accorded a filing date of November 13, 2001. Applicants also request that a corrected filing receipt indicating that the above-identified application was filed November 13, 2001 be provided.

Please charge our Deposit Account No. 11-1410 for any additional fees which may be required, now or in the future, or credit our account for any overpayment.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Nov 22, 2005

By: 

Paul C. Steinhardt  
Registration No. 30,806  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

2081825:dmb  
112105

## PATENT

Case Docket No. HYLEE60.001APC

Date: January 7, 2002

Page 1

In re application of : Lee, et al.  
App. No. : Unknown  
Filed : November 13, 2001  
For : ESCHERICHIA COLI  
STRAIN SECRETING  
HUMAN GRANULOCYTE  
COLONY STIMULATING  
FACTOR (G-CSF)  
Examiner : Unknown  
Art Unit : Unknown

I hereby certify that this correspondence and all marked  
attachments are being deposited with the United States Postal  
Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C.  
20231, on

January 8, 2002

(Date)

Che S. Chereskin

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith are the following in the above-identified application.

- (X) Request for Application Number and Corrected Filing Date.
- (X) Verified Certification of Express Mailing Date (37 CFR 1.10(c)).
- (X) Copy of original Certificate of Mailing by Express Mail."
- (X) Copy of Express Mail Receipt No. EV 037395037 US.
- (X) Copy of original return post card (obverse and reverse sides) showing USPTO date of receipt.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Che S. Chereskin

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

H:\DOCS\CSC\CSC-2791.DOC  
010702

PATENT

Case Docket No. HYLEE60.001APC

Date: January 7, 2002

Page 1

In re application of : Lee, et al.

App. No. : Unknown

Filed : November 13, 2001

For : ESCHERICHIA COLI  
STRAIN SECRETING  
HUMAN GRANULOCYTE  
COLONY STIMULATING  
FACTOR (G-CSF)

Examiner : Unknown

Art Unit : Unknown

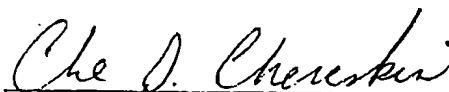
REQUEST FOR APPLICATION NUMBER AND CORRECTED FILING DATE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

On November 13, 2001, the above referenced application was mailed to the U.S. Patent and Trademark Office. On December 27, 2001, we received a return post card with the stamped date of receipt of December 13, 2001. Further, there was no application number stamped on the post card. Enclosed are copies of documents to support the mailing date. Please correct the filing date to November 13, 2001 and provide an application number for future reference.

Thank you for your kind attention in this matter. If any questions arise from this request, please call the undersigned at (949) 721-6385.



Che Swyden Chereskin, Ph.D.  
Registration No. 41,466  
Agent of Record

H:\DOCS\CSC\CSC-2790.DOC  
010702

PATENT

Case Docket No. HYLEE60.001APC

Date: January 7, 2002

Page 1

In re application of : Lee, at al.  
App. No. : Unknown  
Filed : November 13, 2001  
For : ESCHERICHIA COLI STRAIN  
SECRETING HUMAN  
GRANULOCYTE COLONY  
STIMULATING FACTOR (G-CSF)  
Examiner : Unknown  
Art Unit : Unknown

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE (37 CFR 1.10(C))

**ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

Dear Sir:

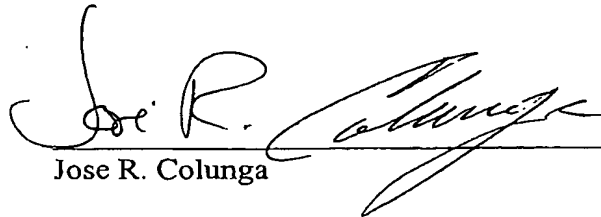
I declare that on November 13, 2001, I deposited with the United States Postal Service in an envelope "Express Mail, Post Office to Addressee," bearing Mailing Label Number EV 037395037 US, addressed to the "Assistant Commissioner for Patents, Washington, D.C. 20231" and having an express mail certification that I executed for a new application transmittal and papers noted therein. Copies of these papers from the file of this application are attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

1/7/02

Signature:

  
Jose R. Colunga

\\DOCS\_NB\FILES\DOCS\CSC\CSC-2788.DOC

**Knobbe Martens Olson & Bear LLP***Intellectual Property Law*

620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
Tel 949-760-0404  
Fax 949-760-9502  
www.kmob.com

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Attorney Docket No. :** HYLEE60.001APC

**Applicant(s) :** San-Yup Lee; Ki-Jun Jeong  
J

**For :** ESCHERICHIA COLI STRAIN SECRETING  
HUMAN GRANULOCYTE COLONY  
STIMULATING FACTOR (G-CSF)

**Attorney :** Che Swyden Chereskin, Ph.D.

**"Express Mail"**  
**Mailing Label No. :** EV 037395037 US

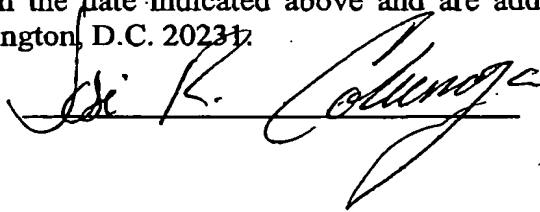
**Date of Deposit :** November 13, 2001

I hereby certify that the accompanying

Transmittal letter  
Preliminary Amendment in 4 pages  
Abstract in 1 page (attached to Preliminary Amendment)  
Signed Declaration and Power of Attorney in 3 pages  
Recordation Form Cover Sheet and Assignment in 3 pages  
Verified Statement Claiming Small Entity Status in 3 pages  
International Application as published  
Information Disclosure Statement, PTO Form 1449 with 2 references  
Computer readable sequence listing on diskette  
Paper copy of sequence listing in 9 pages  
Form PCT/ISA/210; Form PCT/RO/134; Form PCT/IB/301; Form PCT/IB/304  
Form PCT/IB/308; Form PCT/RO/101)  
Declaration of Deposit and receipt in the Case of an Original Deposit  
Checks for Filing Fee and Assignment Recordation  
Return Prepaid Postcard

EV037395037US

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



H:\DOCS\CSC\CSC-2640.DOC\111301

San Diego  
619-235-8550

San Francisco  
415-954-4114

Los Angeles  
310-551-3450

Riverside  
909-781-9231




**POST OFFICE  
TO ADDRESSEE**


EV 037395037 US


**SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE**
**Customer Copy**  
Label 11-F August 2000
**ORIGIN (POSTAL USE ONLY)**

PO ZIP Code 92999	Priority Mail <input checked="" type="checkbox"/> Next <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Flat Rate Envelope <input type="checkbox"/>	Postage \$
Date In 11/13	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Return Receipt Fee
Time In 1:51 PM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	COD Fee
Weight 1.5 lbs.	Int'l Alpha Country Code	Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials AR	Total Postage & Fees \$ 16.25

<small>         I, the undersigned, hereby certify that the enclosed material is the property of the United States Postal Service and is being delivered to the addressee as a gift. I authorize the delivery employee to deliver the material to the addressee and to sign the receipt for the material. I understand that the delivery employee's signature constitutes valid proof of delivery.       </small>	
NO DELIVERY	<input type="checkbox"/> Reschedule <input type="checkbox"/> Holdover <input type="checkbox"/> Return to Sender <input type="checkbox"/> Return to Office of Origin

**CUSTOMER USE ONLY**

**METHOD OF PAYMENT:**  
Express Mail Corporate Acct. No. **X926976**

**FROM: (PLEASE PRINT)** **PHONE** 949 760 0404

**KNOBBE MARTENS  
OLSON & BEAR LLP  
620 NEWPORT CENTER DR FL 16  
NEWPORT BEACH CA 92660-6420**

HYLEE L. DOLAR  
CSC

**TO: (PLEASE PRINT)** **PHONE**

**ASSISTANT COMMISSIONER FOR  
PATENTS  
WASHINGTON DC 20231-0001**

**Attn: Box Patent App**

F02  
T12

293

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



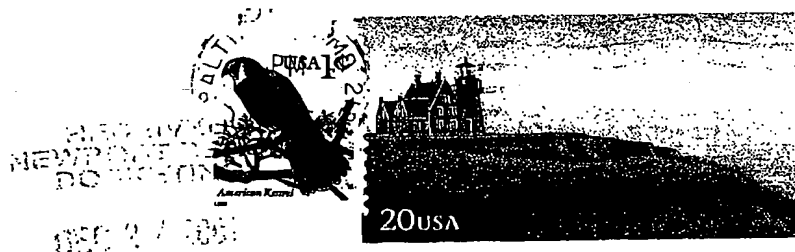
PCT NATIONAL PHASE UTILITY/DESIGN PATENT Date: 11-13-01

(Application)

Rec'd in the U.S.P.T.O. on the date stamped hereon via Express Mail # EV 637395037 USAtty. Dkt. # HYLEE60.001ARApplicant: Lee, et al.Title: Escherichia coli Strain Secreting Human... Atty: C. ChernakCorres. to PCT Application No.: K801/00549Filed: 3-31-01VERIFIED BY: Asst: JSQuality Control: SN

- ☒ Patent Appln. in \_\_\_\_\_ pgs. incl. Spec and 10 Claims
- ☒ Transmittal in ~~Duplicate~~
- ☒ Decl. and Power of Atty.
- ☐ Decl. by Inventor(s)
- ☒ Filed Signed/~~Unsigned~~
- ☒ Recordation Form Cover Sheet & Assignment in 3 pgs.
- ☒ Information Disclosure Statement; PTO-1449 w/ 2 ref(s)
- ☒ Preliminary Amendment in 4 pgs.
- ☒ Check for \$ 40 for Assignment
- ☒ Return prepaid postcard
- ☒ Abstract (1 pg)
- ☒ Computer sequence listing disk
- ☐ Power of Atty. by Assignee; Copy of Assignment
- ☒ Small Entity Statement(s)
- ☐ International Preliminary Exam Report
- ☐ PCT Form PCT/IPEA/402
- ☒ PCT For PCT/IB/308-
- ☒ International Search Report
- ☒ International Application as Published
- ☒ Check for \$ 520 Filing Fee
- ☒ Paper copy sequence listing
- ☒ Forms 210, 134, 301, 304, 106
- ☒ Declaration of Deposit

6318 Rec'd PCT/PTO 13 DEC 2001 7/96



LAW OFFICES OF  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
 A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
 INTELLECTUAL PROPERTY LAW  
 620 NEWPORT CENTER DRIVE  
 SIXTEENTH FLOOR  
 NEWPORT BEACH, CALIFORNIA 92660-8016



## UTILITY/DESIGN PATENT

(miscellaneous)

Date of O.A.: \_\_\_\_\_

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty. Dkt. # 4416660.DDIAPC A/N: Unk Filed: 11-13-01Pat. # \_\_\_\_\_ Issued: \_\_\_\_\_ Atty: C. C. [Signature]Exr: Unk Art Unit: Unk Batch: \_\_\_\_\_ Re-Exam # \_\_\_\_\_Title: Escherichia Coli Strain... Applicant: Lee, et alVERIFIED BY: Asst: Jo Quality Control: [Signature] JAN 28 2002

- ☒ Transmittal Letter
- ☒ Request for Application Number & Corrected Filing Date
- ☒ Verification Certificate
- ☒ Copy of original Cert of Mailing
- ☒ Copy of original USPS Express Mailing Receipt
- ☒ Copy (obverse & reverse) of original return postcard
- ☐ \_\_\_\_\_
- ☒ Return Postcard

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	9580
RECIPIENT ADDRESS	16192350176
DESTINATION ID	
ST. TIME	11/22 16:25
TIME USE	02'21
PGS.	11
RESULT	OK